

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAIME MOINA, *Individually and on Behalf of
Others Similarly Situated*,

Plaintiff,

-against-

PJETRO JUNCAJ HOME IMPROVEMENT
INC. and PJETRO JUNCAJ,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/30/2025

22-cv-7014 (MKV)

ORDER ADJOURNING TRIAL AND
DISMISSING CASE AS TO PJETRO
JUNCAJ HOME IMPROVEMENT INC.

MARY KAY VYSKOCIL, United States District Judge:

On July 23, 2025, the Court held a Final Pretrial Conference in this matter. For the reasons stated on the record at the Conference, IT IS HEREBY ORDERED that the case is DISMISSED as to the corporate defendant, Pjetro Juncaj Home Improvement Inc., for failure to prosecute. The Court has issued at least eight Orders, over the course of two years, warning Plaintiff, in various ways, that failure to prosecute this case in accordance with the Federal Rules and in compliance with court orders would result in sanctions, including dismissal for failure to prosecute [ECF Nos. 8, 20, 42, 45, 54, 56, 60, 62]. Furthermore, the Court specifically ordered Plaintiff, nearly two years ago, to determine whether the corporate defendant still exists [ECF No. 20], but Plaintiff responded only, in effect, that he did not know [ECF No. 21]. Since that time, Defendant Lulash Juncaj has repeatedly represented on the record, through counsel, that “as far as he knows, the business no longer exists” [ECF No. 47 at 3; ECF No. 50]. Plaintiff has never responded to that representation. At the Final Pretrial Conference, the Court offered Plaintiff a final opportunity to show cause why the case against Pjetro Juncaj Home Improvement Inc. should not be dismissed for failure to prosecute. In response, Plaintiff’s counsel acknowledged that dismissal of the case against the corporate defendant would be appropriate.

IT IS FURTHER ORDERED that the bench trial that was previously scheduled to take place on August 5, 2025 is ADJOURNED *sine die*. Counsel for both parties agreed that it would be prudent to engage in a settlement conference, rather than proceed with the scheduled trial. The Court has made arrangements for a settlement conference and directs the parties to await a further order in that regard.

SO ORDERED.

Date: July 30, 2025
New York, NY


MARY KAY VYSKOCIL
United States District Judge